

Oxford Democrat.

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PARIS, MAINE, TUESDAY, MARCH 6, 1849.

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OXFORD DEMOCRAT,

PUBLISHED EVERY TUESDAY, BY

G. W. Allen,

EDITOR AND PROPRIETOR.

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I have heard he is singular as well as stern, but though for my parents' sake, I accept his offer of reconciliation, he will find, if he attempts to make me his slave, as I have heard he wished her to be, that the blood of a Mowbray brooks unjust restraint no easier than that of a Stanley. But, pshaw, of what am I thinking? An all-momentary cadet, I am summoned from England and offered one of the richest inheritances in the colonies, and, forsooth, before I have been five minutes in my uncle's house, I am speculating about a quarrel!

He smiled as he spoke, and was about to walk to a seat in another part of the room, when suddenly he heard the door in the opposite recess open, followed by the rustling of a female dress, while immediately the form of a tall and singularly graceful girl entered the parlor with a light step, and began to arrange some flowers in a vase that stood on a table between the front windows. The back of this lovely creature was towards him, but as she executed her pretty task, her face was turned occasionally half around, and Mowbray thought he had never seen anything so charming. It was not that the features were so regularly beautiful, for perhaps the forehead was too broad for a classic model, and the nose was slightly turned up, but the mouth was unrivaled, the complexion bewitching, and the eyes sparkling with mingled mischief and sentiment. As she arranged the flowers, she turned a sportive air, and now and then to admire the light she produced. It was evident she was unaware of the presence of a spectator. So light was her every movement, and so sprightly her whole air, that Mowbray knew not whether to think he saw some fairy spirit or a being of real flesh and blood.

"Hello!" she said, at last, when her task was finished, "oh! did I not see you here? So much politics that you never see a beau. I am dying of ennui for want of a flirtation. Not a new book worth reading either, or a new fashion, or a new man. Now if I only had some one to talk to, I might manage to get along."

"I thought Mowbray had never seen this fair creature," she said, looking immediately at him, and he answered her almost unconsciously in the same spirit with which she spoke.

"And why will not I do?" he said, advancing a step, with a smile and one of the profound bows of that country.

At the unexpected sound of a voice, and to a young man, the young female started, and looked around. Her color was heightened, and her eyes flashed proudly, while she unheeded Mowbray for a moment with a scornful look. It seemed to him, indeed, as if her very form expanded. Standing with her foot thrown back, and her bosom swelling indignantly, she looked, as he often afterward told her, every inch a queen of dancing before the angry beauty, only united the more, and seemed in fact rather to enjoy the scene. When, however, he noticed the color deepening on her cheek, and her lip compressing itself as if in insult, he was obliged to himself to say, "I believe I must introduce myself to Mr. Mowbray, a nephew of Mr. Stanley, and I believe, for some time an expected guest. I have lived in New York longer than was allowable, perhaps, but I had heard that some unknown friend, or perhaps, as I find in my uncle's house, I should have seen you."

"I am a nephew of Mr. Stanley," she said, "and I believe, for some time an expected guest. I have lived in New York longer than was allowable, perhaps, but I had heard that some unknown friend, or perhaps, as I find in my uncle's house, I should have seen you."

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During the course of the evening, she and Mowbray, with their respective partners, were thrown together in the corner of the parlor.

"I understand," said Mr. Despenner, with a shrug of contempt, "that the Congress passed a Declaration of Independence to-day, and that they have ordered it to be printed to-morrow, from the State House. What do you think of it, Mr. Mowbray?"

At this period the aristocratic circle of Philadelphia was decidedly opposed to making the connection between the colonies and the mother country. Even those persons whose sympathies had been heretofore American, regarded the act as premature, hence the speaker expected a dissent to his implied course. But Mowbray, though educated abroad, leaned to the popular side, and the events of the day having warmed his temper, he answered with uncommon bitterness.

"I think the sooner the colonies accept it, the better. I am an American, and not fond of the heel of a tyrant on the necks of my fellow citizens."

His hearer's face flushed with momentary anger, but he was too brave a man to seek a personal insult in the words of Mowbray, so he contented himself by answering with cutting irony.

"Methinks so fiery a knight as you seem to be, Mr. Mowbray, would prefer fighting with Mr. Washington to playing the carpet knight here. They say your great militia captain wants men of mettle amazingly."

Kate saw that the conversation was likely to become angry, and thought it time to interfere. She had been on her old terms with Mowbray, she would have taken his part, for her woman's heart was with her suffering country, and she was surrounded by a butler, a maid, and a valet, and she was not a little proud of her position.

"Come, I see Mr. Morris beckoning to me, and you must excuse me across the room. I have a great deal to say to him. I suppose, all about this Declaration of Independence, and I am dying of ennui for want of a flirtation. Not a new book worth reading either, or a new fashion, or a new man. Now if I only had some one to talk to, I might manage to get along."

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also to thank Captain Mowbray, whom I saw directing the pieces so well: I do not see him." "Alas! your excellency, he is wounded, and I fear mortally."

"Where is he?" said Washington, anxiously. "He has been carried to another tavern," said Mowbray, "where your excellency's surgeon there attends him. Yet life, perhaps, of so little value to him that he will scarce thank us for our pains to preserve it: I have noticed that from the day he joined the army, just before the battle of Long Island, up to this hour, he has always recklessly exposed himself as if he sought death."

"Perhaps some disappointment of the heart—poor lad!" sighed the great leader, as he led the way toward the low, wooden tavern, in a room of which Mowbray lay, wincing in blood.

TO BE CONCLUDED IN OUR NEXT.

ARRIVAL OF THE EUROPA.

Fourteen days later from Europe. The steamer Europa, which left Liverpool for Halifax and New York on the 10th, arrived at Halifax on the 21st, and was brought by her telegraphed news to the United States.

From the telegraphed news accounts are decidedly favorable. The holders of goods are firm in their operations, and are sanguine as to a good spring trade.

The stock and money markets are unusually buoyant. Public securities and railway shares are on the advance. The demand for U. S. six per cent bonds still continues at advancing rates.

ENGLAND. Parliament was opened by the queen in person on the first instant. The speech from the throne is rather lengthy, and for a wonder actually possesses meaning apart from the jingle of words, but it does not possess sufficient general interest to justify its transmission by telegraph. The speech places the fact beyond a doubt that the government have no idea of giving up the free trade doctrine, but are resolved steadily to carry out their principles to their final consummation.

Lord John Russell in debate said that he had formerly been in favor of a fixed duty on corn. He added, however, that the house of commons had not chosen to adopt that principle, but had preferred to set corn wholly free, he hoped no new change would be made. "I hope," he said, "that no attempt, and above all no successful attempt will be made at renewing any duty upon that main article of sustenance." This settles at once all speculation upon the course of conduct, on this subject, likely to be adopted by the present administration.

With regard to the navigation laws, also, the government propose to be equally decisive; and a new bill for their modification will be immediately introduced. The declared intentions of the ministers to make every retrenchment, compatible with complete efficiency, in the various branches of the civil, naval and military departments of the State, have produced general satisfaction, and the liberal free trade policy which prolongs their tenure of office to a more extended period than they could have anticipated before the opening of parliament.

The Right Hon. Sir Henry Lytton Bulwer, K. C. B., recently English ambassador in Spain, has been appointed Sir R. Pakenham as British minister in the United States.

The ravages of the cholera continue about the same as when the Niagara sailed.

Later intelligence from India has been received, but is wholly devoid of general interest.

The excitement created in Europe by the reports of the boundless riches found in California had somewhat subsided, and the news by the last packet had once more aroused the spirit of enterprise, and the newspapers again teem with notices of all kinds of shipping adventures in connection with this auriferous region. It is no longer an El Dorado, but a veritable terra deloro. The confirmed statements of immense mineral wealth in the Californian hills now leaves no doubt but that an immense tide of emigration will flow toward that quarter.

IRELAND. Charles B. Duffy has been brought up before the courts on a new bill, and is to take his trial at the present term under the "Crown and government security act." This course was thought advisable by the law officers, in consequence of the demerit having been partly ruled in favor of the prisoner. It has been recommended by the Lord Lieutenant to renew for a limited period the suspension of the habeas corpus act in Ireland, and the bill has already been read the first time in the house of commons.

CONTINENTAL.—France. There is very little news from the continent of importance or general interest, except as it regards France. Immediately after the sailing of the Niagara, intelligence was received in England that the breach between the assembly and the president had widened into a fearful gulf. A real or sham plot was disclosed to the French ministry, and for a few days Paris again assumed the appearance of a beleaguered city: the streets were occupied by not fewer than 80,000 men, and General Changenier phony intimated that the first barricade that was attempted to be raised would be the signal for a general slaughter.

Whether the red republicans were surprised or unprepared to cope with the extensive military arrangements concerted, certain it is that Paris for a few days trembled on the verge of a new revolution, the issue of which can scarcely be doubted. Marshal Bugeaud was despatched from Paris to bring up a strong division of the army of the Alps ostensibly to command Bourges during the State trials, but with no less object than that of overseeing the red republicans in Paris.

The differences between the Guard Mobile and the army of the line only added fuel to the flame, which hourly grew in intensity. The motion for getting rid of the propositions of M. Rattaux to dissolve the national assembly was only defeated by a narrow majority of 210 over 100. Since that vote a greater tranquility has prevailed, and once more we have to announce that the struggle passed off without mortal strife. No more serious events were, however, to be expected.

The following communication from the Governor to the Executive Council in relation to the commutation of the sentence of Dr. V. P. Coolidge from that of death to imprisonment for life, will explain the views of the Governor in relation to the duty of the Executive under the laws as they now stand, and the grounds of the departure from their rigid enforcement in this particular instance: [Augusta Age.]

To the Honorable Council: Valerius P. Coolidge was, in March, 1848, convicted of a capital offense, and the time (one year from the date of sentence) within which the statute prohibits an execution, has nearly expired. In view of its expiration, I have considered, with all the care which should characterize an investigation and conclusion on which the life of a fellow creature is suspended, to give a just construction to the laws under which he was convicted and sentenced, that I might rightly determine what duty devolves upon the executive in the premises.

The law under which he was sentenced, is the law of the Revised Statutes, with a slight, but (so far as it bears upon this question,) immaterial amendment. This law is nearly a transcript of the law passed in A. D. 1837. For some years previous to the passage of the law of 1837, a very general effort was made for the abolition of capital punishment, by arguments presented and appeals made through the press, by the presentation of petitions and by discussions in the legislature. The agitation finally resulted in the passage of the law of 1837, which was claimed as having accomplished the object, by making the issuing a warrant for an execution, a mere discretionary act, instead of imperative, as under former laws. After the passage of this law the efforts of the advocates of the abolition of capital punishment ceased, and the public mind, with but slight indications of dissent, concurred in their construction, that the duty was no longer imperative on the executive to order an execution; and in their opinion (though with less unanimity) that the discretionary power should never be exercised.

The evidence that such was the state of public opinion cannot have escaped the attention of those who are the least observing of its indications. But if doubts exist on this point, they must be removed by a review of the case of Thorne, the only conviction had since the law of 1837, except that of Coolidge. In 1844, Thorne was convicted of a capital offense, aggravated in its nature and circumstances. When the proper time arrived for inflicting upon him the penalty of death, if at all, the then executive withheld his warrant. I am not advised whether he adopted the construction that the duty was discretionary, or only refrained to act because copies of the case had not been certified to him; but this question is not material to the history of the case. Thorne, though convicted of a capital offense, unattended by any extenuating circumstances. This knowledge is brought home to every one that our laws have failed to inflict the penalty of death, and yet not an effort has been made through the legislature or otherwise to ascertain and remove the cause of such a result in this instance, or to prevent its recurrence in future. The conclusion is therefore irresistible, of the general belief and acquiescence therein, that the penalty of death will not again be inflicted. The position was assumed by the Attorney General in the trial of Coolidge, and the consideration was urged by him upon the jury, that his conviction would not result in his execution.

But though impressed as I am with the weight of the circumstances, to which I have alluded, in favor of the idea, that the duty was changed by the law of 1837 from an imperative to a discretionary one,—circumstances perhaps sufficient to control the construction of ambiguous language,—still I am unable to concur in that idea, or even to discover the basis on which it rests. The law of the revised statutes is as follows:—

Chapter 154, Sec. 2. "Whoever shall commit murder with express malice aforethought, or in perpetrating or attempting to perpetrate any crime, punishable with death, or imprisonment in the state prison for life, or for an unlimited term of years, shall be deemed guilty of murder of the first degree, and shall be punished with death."

Ch. 168, "Sec. 8. When any person shall be convicted of any crime punishable with death, and sentenced to suffer such punishment, he shall, at the same time, be sentenced to hard labor in the state prison, until such punishment of death shall be inflicted."

"Sec. 9. And no person, so sentenced and imprisoned, shall be executed in pursuance of such sentence, within one year from the day such sentence of death was passed, nor until the whole record of such proceedings or case shall be certified by the clerk of said court, under the seal thereof, to the supreme executive authority of the state, nor until a warrant shall be issued by said executive authority, under the great seal of this state, directed to the sheriff of the county wherein the state prison shall be situated, commanding the sheriff to cause the said sentence of death to be carried into execution."

The change in this, from the law in force up to 1837, is in the provisions found in the 8th and 9th sections for a sentence to hard labor in the state prison, and for an interim of one year between sentence and execution; with this exception the laws of the state have ever been the same on this subject. It is contended that the sentence to the state prison is one distinct from, and conflicting with, the sentence of death; and that such being the case, the executive is not bound to execute the sentence of death, but is bound to execute the sentence of imprisonment. But there is nothing in the language of the law to warrant the strange conclusion that it required the court at the same time to impose two conflicting sentences. To render

the sentence to the state prison distinct from and conflicting with the sentence of death, the extent of that sentence should have been during the natural life of the convict; but instead of that, the language used is, "until such punishment of death shall be inflicted," language obviously contemplating the execution of the sentence of death, instead of conflicting with it.

Besides there is an obvious necessity for the sentence to the state prison, to secure the execution of the sentence of death. Under the old law as but little time intervened between the sentence and execution, there was no necessity for statute provision for the safe keeping of the convict; after conviction he was remanded by the court to the custody of the sheriff to await execution, and he could only use for that purpose the county jail. But when the law provided for an interim of one year between the sentence and the execution, it was also necessary to provide for a more safe and convenient mode of preventing the escape of the convict. Hence the necessity, under the new law, of the sentence to the state prison, to render sure the execution of the sentence of death—the two are in perfect harmony with each other. But even were the two sentences actually in conflict with each other, they are mere provisions regulating proceedings in court, and the modes in which its penalties shall be enforced, and are controlled by the positive enactment of chapter 154, sec. 2, that whoever shall commit murder shall be punished with death.

It also has been argued that to render the duty imperative, the law should have required, in express terms, the executive to issue his warrant at the expiration of the year. The laws of Maine, Massachusetts, New Hampshire, and it is believed the same is true of all the other states, never contained such express provision. The position therefore is unsound, because it proves, what no one will claim or admit, to wit: that the duty was never imperative on the executive of this or the other states to order an execution.

The act was never rendered necessary by statute, here or elsewhere, but the necessity results and ever has resulted from the general duty of the executive, under any form of government, to see the law and its penalties executed. In fact I have entirely failed to discover any change in the law, tending, in the least degree, to remove the necessity which all admit ever existed of ordering an execution after conviction and sentence.

It follows then that my action on this subject must conflict with the popular construction of the law, with all the indications of public sentiment to which I have alluded, sustaining and acquiescing in that construction and with the opinion of the government officer urged upon the jury when the conviction of Coolidge was prepared, or I must take for my guide the opinions of others, entirely abandoning my own conviction of the duties of the office "according to the constitution and laws of the state," not as construed by others, but by himself. True, he may borrow light from other minds to aid him in forming a conclusion, but his own mind must be the ultimate tribunal.

The only way of escaping this difficulty is by the exercise of the power of commutation. The duty of issuing a warrant for an execution devolves upon the executive alone; the power of commutation is vested in the executive with the advice of council. After the expiration of the year, I shall feel impelled, under the construction which I am forced to give to the law, to issue a warrant for the execution of Coolidge, unless a commutation of his sentence to imprisonment for life, is interposed. For the reasons indicated in this communication, I should readily concur with the council in such commutation, and would invite your consideration of the subject.

JOHN W. DANA.

Council Chamber, Feb. 7, 1849.

BLOODY OYSTER WAR IN VIRGINIA.—We learn from a gentleman just arrived from the Eastern Shore of Virginia, that a serious collision took place, a few days since, in the neighborhood of Drummondtown, between the citizens and depredators from Philadelphia. A fleet of some twenty boats from Philadelphia recently entered that quarter of the Bay, and commenced taking oysters from the Virginia banks with dragging machines, in direct violation of the laws of the State, which prohibit the mode of taking oysters, under a penalty of \$250. The people determined to drive the marauders from their shores. Accordingly, five small boats were manned and armed with two pieces of cannon; these prepared, the Virginians came upon the Philadelphia fleet, and an engagement ensued, in which one oysterman was killed and a mast of one of their schooners cut away by a cannon shot. The fleet was then driven into the mouth of a creek, where the Virginians succeeded in taking ninety of the party prisoners, whom they conveyed to Drummondtown, in Accomac county, where they were lodged in jail. By some informality in the original warrant, the legal proceedings were quashed, but the magistrates had issued a new process, and strenuous efforts were making to bring the aggressors to justice. In the course of the skirmish, one of the Virginians was shot, the ball entering near the mouth and coming out at the side of the head, carrying away one of his ears. Our informant states that great excitement prevailed throughout the neighborhood of Drummondtown.—[Balt. Amer.]

SINGULAR CASE OF POISONING.—Within two weeks, says the Baton Rouge Advocate of the 24th ult., a whole family consisting of a Mr. Governor, his wife and children, have died, in this vicinity, from accidental poisoning caused by drinking water of a well impregnated with copper, as has been proved, we understand, by an examination of the well, in which was found an old copper kettle.

From the Boston Courier.

Condition of the French President.

We lay before our readers the following letter from a member of the National Assembly of France, upon the subject of the embarrassments which in the present state of parties and expectations among the French beset the course of the new President of the Republic:

It is impossible for those unacquainted with the facts, to form a just idea of the painful position in which the circumstances of his friends and his family, the state of parties, and the Constitution have placed the President. If "uncertainty lies the head that wears a crown," anxiety still greater must disturb a man placed in the presidential chair of a republic, at the head of a nation whose instincts are democratic, but whose manners and habits are essentially monarchial.

Scarcely arrived at the Elysee National, Louis Bonaparte is naturally surrounded by all those who have for his cause expended their money, their time, and their influence. As naturally it is his desire to express to them his gratitude by the recompense of some public functions; but ignorant of the attributes of each administration through which offices are bestowed, he has given letters of recommendation to numerous applicants, which, in effect, are good for nothing, and these have accordingly been repulsed unceremoniously as impertinent. Returning to the Elysee these disappointed men have demanded of the "Prince," thus it is that they address the President—why he suffers such things—"Do you allow," say they, "that Commissioners whom you have appointed should fail in respect to you—should treat you as an intruder? Speak strongly and firmly, and all these bureaucrats who bear themselves so loftily in all the pride of office, will learn to obey you." &c. &c.

It was on account of these ill-timed exhortations that the President wrote the letter to M. Malleville, which has found its way to the public press. This was not through any indiscretion of the writer or the minister, but because this epistle was circulated among all the ministers, to show them with whom they had to deal, and it was copied by each. Everybody knows the nature of a secret among eight persons.

The family of M. Louis Bonaparte are not less a vexation to him. A few days ago, having placed in a more honorable seat the son of Jerome, ex-king of Westphalia, and Pierre Bonaparte, the son of Lucien, an elder branch of the imperial family, at the end of the table, the latter, in high dudgeon took his hat and departed. Next came the susceptibilities of the Princess Mathilde Demidoff, who has seen with mortification the arrival of the Princess Stephanie Beauharnais, grand duchess of Baden, like herself, a cousin of the President. Mathilde Demidoff had expected to do the honors of the Elysee National, when, behold, she is utterly displaced by the grand duchess.

By heart, but they do not relieve the President from disturbances more serious. One day he suffers the contest of prerogative between himself and his ministers; another day some fraction of the Montagnards of the Assembly goes to him and says, "You are placed in the hands of monarchists, and all parties. They will make you the foot stool of the legitimists, and other pretenders. Come to us, seek the republic and nothing but the republic. We will gain you a majority in the Assembly, and the security of your personal government." On a third day, the socialists put in their claims thus: "You have been elected by the people, whom we truly represent; you ought to join us; we are devoted to the destruction of the middle class aristocracy. Give us the administration and we will proclaim the empire of the proletariat."

Flatterers spare no pains to seize upon all the good inclinations, and all the weaknesses of the President; some praise his generous inclination to the amnesty, others his tendency towards communism, and others keep awake the imperial predilections of his former days. When all these are withdrawn, then Mole and Thiers make their appearance, and proffer the antidote to all irritations, the emollients of political conciliation, of patience, of prudent reserve, and of confidence in the spirit of the country, which ought alike to be trusted and consulted.

There are heads stronger than that of M. Louis Bonaparte, which could not resist so many attacks, such incessant struggles, such importunities of all kinds. Add to these the financial embarrassments of a President, who in the popular notion of monarchial manners holds the place of a king, who has the blood of an emperor in his veins, who is naturally generous to profusion, and who is obliged to open his house to company or disappoint one of the first expectations of the nation, and of distinguished foreigners; add all these circumstances together, and you will have some imperfect notion of the disquieted and tormented life which should rather be written Paterfamilias.

I might add another notice, not less authentic, of the miseries to which poor Louis Bonaparte is subject. One of the forms of persecution under which the President is assailed, is that of supplicatory letters which are supposed to exceed two thousand a day. Four soldiers are occupied from nine o'clock in the morning until three in the afternoon, in breaking seals. The greater part of these epistles demand places, or loans of money, some of the latter even to the amount of 100,000 francs. Nearly 20,000 supplicatory letters have already been received from the needy and greedy of the 35,000,000 who are under the republican rule. The wealth of Croesus, and the power of three Caesars, would fail to meet all the necessities and all the cupidities of those who look to government for satisfaction. From seven o'clock in the morning the antechambers of the presidential hotel are crowded with expectants, multitudes of whom perseveringly return after the repulse of one day to the chance of the morrow.

OXFORD DEMOCRAT.

"The Nation must be preserved."

PARIS, MAINE, MARCH 6, 1849.

The Spirit of the Age.

The minds of men are strangely agitated all over the world. We, as has been truly said, are in a state of revolution; but it is a revolution of radical principles, not superficial politics—a revolution produced by the leaven of truth, and not because Gen. Taylor is President of the United States; it is such a revolution as the world rarely witnesses, although it is not the first of the kind that has been attempted.

At a certain period of the history of man, the world had grown very wicked, and civil and spiritual rulers, having through deception attained the power, had conspired against the People, had reduced them through ignorance and superstition, to the last degree of misery which human nature can bear, without rebellion. Happily at that period, there appeared upon earth a Reformer, who might well be called the Saviour. He knew that the religious that then pervaded the world, and which had contributed to reduce mankind to the miserable condition in which he found it, was but a mockery, and an abomination in the sight of all just men. He saw with the eye of all penetrating wisdom, that longer would not only break through stone walls, but through all moral and religious principle. He was too good an architect to build a system of morality on so fallacious a foundation as extreme inequality, in mind and fortune, which he knew could not be introduced into society, or maintained by any other means than by unequal and unjust laws. He was aware that all the bad passions of our nature, or, to speak more reverently, of SATAN'S God, of artificial and corrupt society, would be brought into full and malignant action, by systems which could never completely blot their iniquitous purposes. And these were views, and purposes of Jesus of Nazareth, and to the Jew a stumbling block, and to the Gentile a folly. May they be to the inquisitive and philanthropic age in which we live, a faithful lesson of wisdom; teaching us to look well to the introduction of new rulers and spiritual leaders.

That a great revolution of mind is now in full operation, no sensible man will deny. That it is possible to stop this march of mind, few will contend, be it for good or for evil. We now have a practical illustration of the selfishness of a certain class of men who make great professions of love of country before election in their efforts to obtain the spoils after election. But however recreant they may be, they cannot prevent the advance of mind. But what is the language we use? We are speaking as if we were not one of the People, and addressing ourselves to some idle creation of fancy—a perfect phantom in this Republic. We are writing on the supposition that there were in this country a separate class of beings, whose attributes were to rule the people in all their religious, moral, and physical functions. But this is only one of the errors into which we are all liable to fall when we mingle with those whose education and sympathies are so different from our own; whose regard for foreign aristocracy exceeds their love for plain, simple Republicanism. We should not hold this language; it leads us perpetually into error, though often imperceptibly. It is like the grammatical puzzle which the French poet put into the mouths of the TARTARS. We in the United States are one, and not two or three, as in other countries; and our language must conform to that unity, or it will lead us from the unity of purpose which we should profess and act on. We are one and not two or three of different grades, except in the point of real merit.

The difference between the state of society now and at any former period is great, although as great misery perhaps may be found among the lower classes in some countries as in times past. But the end is at hand. The olden working classes to which the fastidious carvings of luxury, have civilized the action of mind as well as that of body, and the mind of these laborers being set in motion for mechanical improvement, have acquired a force and discrimination which have been applied by them to an other subject. They have learned their importance to society, as well as their power to control it; they have discovered that they have been put off with a minor's portion in the great family heritage. This knowledge will spread with lightning rapidity throughout the world. In all former epochs of reformation, a few good and who men assumed the Herculean task, and it was too mighty for them, or the people who received the loan of their God-like labors, had not the intelligence to appreciate, or to preserve them. But now, the light of truth is being wrested from its source by the people themselves; and they seem determined to crown themselves with it, by their own hands, as Napoleon placed the iron crown upon his own head, without the intervention of an ideal power, conscious of his own strength and determined to maintain his own supremacy over every other earthly power. So will the people, we trust, with a more sacred right than Napoleon had, assert and maintain their supremacy, from henceforth and forever. Neither tyrants in the old countries, nor an occasional whig reign in this, can prevent it.

What do these visionary democrats mean by reforms in this country? will be asked by the federalists. Is it not the happiest country on earth, and the freest people? Certainly it is; but the people are so conscious of this truth, and appreciate so highly the advantages they enjoy, that they are determined to secure them, by all possible means, and to put it out of the power of the crafty, or the bold, to assail by violence, or to undermine by fraud, the citadel of their liberty, or to undermine by fraud, the citadel of their liberty.

They will acknowledge no master in ethics or politics, nor adopt any doctrine but such as they shall prescribe, for the time being, to their Representatives, whom they will hold to a strict accountability. They will look into all measures, past and to come, with a critical eye, and with a determined purpose of purging the laws of every anti-republican tendency, by such prudent steps as time and circumstances will suggest. They will be especially cautious to prevent the encroachment of any more laws leading to such fearful ends.—This is all the reform required in our happy country, and no country has ever yet been so fortunately situated as ours, for this reform, and a check on future legislation. Now all this will be called wild and fearful innovation by federal conservatives, in humble imitation of their more exalted patterns in Europe. But we will say to them from Bacon, whose wisdom they dare not deny, "that he who dreads new remedies, must expect new evils." Other authorities more ancient might be quoted to the same effect, but why need we quote authorities to prove self-evident truths, and such as we act on every day, the denial of which would go to prove that we have done wrong in separating from England; that our fathers have sinned against common sense and prudence in separating from the church of Rome; and that in fact education itself was both pernicious and absurd. If the condition of men change in society, if the elements of society themselves undergo a new modification, should not the laws conform to these changes? have they not in many respects been made to undergo this change. It is true the artful and interested expounders of these laws, have too often left on the statute book old laws not formally revoked, but unknown to those who are to be judged by them, whenever it may suit the spirit of chicane to call them up, to confound the judge and bewilder the jury, thus making the old law adage which says, "that no one may plead ignorance of the law," a barbarous fraud on all those not profoundly versed in the most recondite mysteries of the most uncertain of sciences. True, in this State, we may not suffer as in some others, but as circumstances are continually changing it appears to us, our laws are not so improved as to meet the wants of the people.

Now, as laws will for some time continue to be made by those who think they have a patent right to that effect, we would be permitted to ask them this simple question: Shall the laws be made to operate on morals, or shall they wait for the operation of morals on the laws? When States retain in their statute books, laws which are not executed, because they are harshly known, does it not show that the morals are in advance of the laws? Is it not the first duty of a wise statesman to inquire into the probable effect of laws on morals, before he gives his assent to any new ones which may be proposed, as an instance, how to proceed for the expression of intemperance, ought it not to be known to be capable of being carried into execution and securing the end, before it is passed; and when passed, is it not the duty of the authorities to see it properly executed? Is there any local or pecuniary advantages to be derived from a law which can be compared with its moral effects on a community? That there are many laws which increase old, and induce new crimes, and condemnation for fictitious crimes, we have no doubt. We call them fictitious, because many of them are caused by unnecessary, and unjust, and unequal laws. The wants of society, the spirit of the age require a change. One word more to those who dread innovation so much. Camillus asks his friend, "What! will no circumstances justify innovation; and must those things which have utility for their object, not be done, because they have never been done before?" And an elegant modern writer has said, "The reform which removes abuses, prevents the revolutions which revenge them." A new administration sometimes practices abuses under a pretence of removing them.

SINCE OF '76.—The city authorities of Portland having issued orders against the celebration of Washington's birth day by burning tar barrels in the evening, some of the boys who had obeyed the ordinance were arrested and taken to the watch house. A crowd of some five hundred men marched up and demanded their release in twenty minutes. This not being complied with, they proceeded to more active measures. A battering machine in the shape of a stout ladder was procured, and door shutters, sashes and glass were stove in, and the boys were released. Several of the police and watchmen were injured. Taylor torch-light celebrations are countenanced by the whig authorities of Portland; there is no harm or danger of fire from them, and it disturbs no one, in their estimation; but when the boys wish to celebrate the birth day of the "Father of his country," by burning a few tar barrels, at points where there could no harm arise, these same authorities forbid it, and send them to the watch house. There were a similar set of straight-laced people in '76, but the boys of those days instead of burning their tar, made another use of it.

SILVER AND GOLD MINE.—There has been discovered in Benton County, Tenn., near Wyatt's Mill, a gold and silver mine. It is said large amounts of silver and gold ore are found, unusually rich—yielding some 75 or 80 per cent. Considerable excitement prevails in that region—the owner of the land having it guarded day and night.—[West Tennessee Whig.]

CARRYING OFF A SHERIFF.—We learn from a New Orleans paper that a Sheriff in Louisiana lately was directed to attach the steamer *Mc Ann*, bound for California, and went on board for the purpose of serving the writ on the captain. While on board, the boat lifted the wharf pole, or to undermine by fraud, the citadel of their liberty.

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WILLIAM COBBETT.

Or the pursuit of knowledge under difficulties.

Every body knows, or should know, the unconquerable firmness and perseverance of this great man, and how much he effected by these qualities for the cause of liberty, and equal rights not only in his own country, but throughout the world. By means of the press, and in the halls of legislation, in public and in private, at home and abroad, the last years of his life were spent in advocating and disseminating the great principles of freedom. In the earlier part of his life, and especially when a resident in this country, he was a monarchist and Tory of the first water. But his native good sense prevented him from continuing for a long time in error. He, accordingly, soon after his return to England, became a permanent and uncompromising Democrat, and a firm defender of the rights of the people. The same persevering zeal which characterized his youth, attended the actions of his later life. An instance of his constancy and ardor in the pursuit of his object, may be seen in the following passage, taken from an autobiographical sketch of his life. "I learned Grammar," says he, "when I was a private soldier, on the pay of sixpence a day. The edge of my birth, or that of the guardhouse, was my seat to study in; my knapsack was my book-case; a bit of board, lying on my lap, was my writing table. I had no money to purchase candles or oil; in winter time it was rarely that I could get an evening light but that of the fire, and only my turn even of that. And if I, under such circumstances, and without parent or friend to advise or encourage me, accomplished this undertaking, what excuse can there be for any youth, however poor, however pressed with business, however circumstanced as to room or other conveniences? To buy a pen or sheet of paper, I was compelled to forego some portion of food, though in a state of half starvation; I had no moment of time that I could call my own; and I had to read and write amidst the talking, laughing, singing, whistling, and brawling of at least half a score of the most thoughtless of men, and that, too, in the hours of their freedom from all control. Think not lightly of the *fighting* that I had to give, now and then for ink, pen, or paper! That fighting was, alas! a great *sum* to me! I was as tall as I am now; I had great health and great exercise. The whole of the money not expended for us at market, was *two pence* a week for each man, I remember—and well I may!—that, upon one occasion, I, after all absolute necessary expenses, had, on a Friday, made shift to have a half-penny in reserve, which I had destined for the purchase of a red herring in the morning; but, when I pulled off my clothes at night, so hungry then as to be hardly able to endure life, I found that I had *lost my half-penny*! I buried my head under the miserable sheet and rug, and cried like a child! And again I say, if I, under circumstances like these, could encounter and overcome the task, is there, can there be, in the whole world, a youth to find an excuse for the non-performance?" Yet there are thousands living and growing up in ignorance under the false impression that they have no means for improvement, and thousands of others are complaining that they have no greater means of education, while but very few, if any, improve, as they ought, even the advantages they have.

The official notice of Gen. Pierce F. Smith, to be found below, will create a great sensation in foreign countries, where expeditions have been and are now being fitted out with a view to engage in the gold hunt in California. John Bull, in particular, will be up-roarious; but it can't be helped. He has no more right to dig gold on Jonathan's new potato patch in California, than Jonathan has to dig for it in the bogs of "Swate Ireland." John is so covetous of his own, that he won't even let Jonathan catch cod on what he calls his fishing ground, in the big herring pond, because the place happens to be within halving distance of land he claims jurisdiction over. It will teach him liberality hereafter, and every body knows there is need enough of that.

Wm. Nelson, U. S. Consul at Panama: Sir.—The laws of the United States inflict the penalty of fine and imprisonment on trespassers on the public lands. As nothing can be more unreasonable or unjust, than the conduct pursued by persons not citizens of the United States, who are flocking from all parts to search for and carry off gold belonging to the United States in California, and as such conduct is in direct violation of law, it will become my duty immediately on my arrival there to put these laws in force, to prevent their infraction in future, by punishing with the penalties prescribed by law, on those who offend.

As the laws are not known to many who are about starting for California, it would be well to make it publicly known that there are such laws in existence, and that they will in future be enforced against all persons not citizens of the United States in California. Your position as consul here, being in communication with the consuls on the coast of South America affords you the opportunity of making this known most generally, and I will be much obliged to you if you will do it.

PACIFIC R. R. SMITH, Brevet Maj. Gen. U. S. A. Com. Pacific Division. The president elect is a joker. At a tavern in Maryland, while he was waiting for the Baltimore train, among others who introduced themselves was one of the ubiquitous Smith family. On hearing the name, General Taylor remarked with a merry twinkling of the eye—"That is no name at all." "Why, General," replied Mr. Smith, "you should have no objection to the name, Mrs. Taylor was a Smith." "Yes," added he promptly, "but I made her change her name, and I give you to do so too."

THE LAST WHIG FAIR PAS.—

When the bill appropriating money to meet the next instalment due under the treaty with Mexico came up in committee of the whole house of congress, Mr. Schenck, of Ohio, moved a substitute, that New Mexico and California be restored to Mexico! A clause reserving the bay of San Francisco, in consideration of the three millions already paid, was struck out, on motion of Mr. Root, another Ohio whig. Mr. Schenck declared that his proposition was no mere clap-net, and that, "without irreverence," the acquisition of the territory "was permitted under the providence of Heaven, as a sort of retributive justice for having stolen the country." Mr. Gentry, of Tennessee, denounced Schenck's motion as folly. But, with a view of testing the question by yea and nays in the house, the substitute was adopted, and reported to the house!—The question in that body then being, Shall the territories of California and New Mexico, including the gold and the quicksilver, be retroceded to Mexico? it was decided in the negative, nays 194, ayes 10, namely, Ashmun, Mann and Palfrey of Massachusetts, Henry of Vermont, Cranston of Rhode Island, Schenck, Crowell and Giddings of Ohio, and Stephens and Toombs of Georgia, all whigs. The original bill was then passed, 188 to 8. Hereupon Mr. Turner, of Illinois, turned the tables upon the whigs, and lectured them upon their hypocrisy. They had charged the administration with robbing Mexico of her lands, had called the acquisition of territory an "unholy thing" and now they had sanctioned the stealing and robbery by consenting to pay for the plunder. As the plunkster is as bad as the thief, Mr. Turner hoped we should hear no more whig cant about "robbery of an unoffending neighbor."

FROM COL. FREMONT'S CALIFORNIA EXPEDITION. The St. Louis Union of the 12th publishes a letter dated Puebla, New Mexico, the 28th of November. Col. Fremont and his little party of gallant adventurers, had commenced the ascent of the first range of mountains near Puebla, and were pursuing their toilsome march through snows, towards the Pacific Ocean. We make the following extracts: Col. Fremont passed this place on the 22d inst. Many of his mules and horses were much jaded and worn out. He succeeded in purchasing and exchanging several animals at this place, and at Benito's fort. At a small settlement, twenty-five miles above this, he purchased corn for his animals. He dismounted all his company, and each man packed his riding animals with corn. This will greatly facilitate his passage through the snowy ranges. The snow is unusually deep in the mountains. On the 26th Col. Fremont commenced the ascent of the Snowy Mountains. The last we heard from him, he was wending his way slowly through snow about two feet deep, and was within five miles of the top of the first range of mountains. It is the intention of Col. Fremont to go to the Pacific by an entire new route, south of all his former routes, across the continent. His present survey will be of much interest. Should a southern route be determined on for the great railroad across the continent, this survey will greatly aid Congress in determining the western terminus.

CALIFORNIA—AUTHENTIC ACCOUNTS.—Capt. William Phelps, late of barque Moscow, of this port, arrived here from California via Panama, on Saturday morning. Capt. P. brings a quantity of gold, in grains, in scales, and in lumps—the largest of the latter weighing about an ounce and a half. The amount of gold brought by him has been much overrated in the published accounts, though he brings a considerable quantity—much less, however, than the lowest amount stated (\$38,000). As Capt. P. worked personally at the mines, which he believes was not the case with Mr. Arizaga, the experience of the minutes of the gold digging there is considerable. In the first place, as to the pieces of gold that have been reported to be found, he says the largest piece that he has seen is in the possession of Mr. Mellus, and weighs but six ounces. He heard numerous stories at the mines of large pieces being found; but in every instance where they were investigated, they turned out to be false, or grossly exaggerated. One man was reported to have found a piece weighing several pounds; he went to see him, and found that its weight was only two ounces, and that it was the proceeds of an entire day's work.

As to the stories that the diggers were many of them averaging \$150 per day, he thinks that those that have done the best, have not obtained more than \$3000 during the entire digging season. The hours of work were from five to ten hours per day. Formerly, the Indians were willing to work for a trifle, but they have since become better acquainted with the value of their toil. They are principally the remnants of tribes, and are not formidable.

But one case of disorder occurred before Capt. P. left. It was that of a negro who insulted a Mormon woman. The people turned out, caught the negro, tied him to a tree, gave him a good flogging, and then turned him loose, with a threat of a rifle ball if he misbehaved again.

The inhabitants of California, Capt. P. says, are anxious to maintain order; but they can hardly do it in any other way than by lynch-law, until some regular government is established. When several companies of Col. Mason's Regiment deserted to the mines, a file of soldiers were sent after them, who in their turn deserted. Col. Mason then started with a file of dragoons, called the miners together, and told them that if they expected the countenance of the Government, they must help him to arrest deserters. To this they replied that if there was any refugee from justice among them, they were willing to turn out and help arrest them, but their time was too precious to be occupied in running after deserters. After this Col. Mason was glad to get back with half his dragoons.

Agreements have been so totally neglected, that a man who had a field containing 15,000 bushels of wheat, could not get it harvested, though he offered half the products, and was obliged to let his cattle eat it. Women and children, as well as their husbands and fathers, had become gold diggers. Capt. Phelps' opinion as to the success of expeditions daily starting from this country, is that it will depend upon the manner of their organization. There is no doubt, he says, of there being considerable quantities of gold in California, but there is gross exaggeration in the matter.

Letters had appeared in the papers from persons who had no existence in California, and in respect to vessels that had never been there. Captain Phelps looks heavily and heavily, and bears no marks of a long voyage from the other side of the world.—Boston Traveller.

TOWN OFFICERS.

Charles Andrews, Moderator.
Hiram Hubbard, Town Clerk.
Jos. H. Kings, Selectmen.
Austin Morse, Selectmen.
Elisha Partridge, Selectmen.
Alva Shurtliff, Jr., Treasurer.
Charles Andrews, Town Agent.
Geo. K. Shaw, Superintendent School.
Wm. A. Rust, Committee.
Meeting adjourned to the first Monday in April, at one o'clock, P. M.

INTERESTING FROM BRAZIL.—A strong rebellion has been for some time past going on in Pernambuco, by the political party known as the Santa Lucia, the object being to overthrow the present ministry, which is of the Saengeria party. The government has not succeeded in the crushing it, but it seems impossible for it to hold out much longer.

The Brazilians are in mourning for the death of the Mother of the Empire, and ex-Queen of the two Sicilies.

Prince de Joinville is expected shortly at Rio, to take possession of his dowry of fifty Portuguese leagues of land in the Province of Santa Catharina.

The Chambers have materially altered the tariff doubling the duties upon some American manufactures, for which there was a great demand, in Brazil. They have caused the law to go into immediate effect. The duties on household furniture, chairs, &c., have been raised from 40 to 80 per cent.

Of the 1,800,000 bags of coffee annually exported, the United States take more than one half—two-thirds of which are paid for in cash bills, and the rest is taken in exchange for our productions. Yet in the face of a trade so advantageous to the Brazilians, as this, there is an enormous duty of one dollar and a half per bbl. on our flour, all other things being in a still greater proportion; and an export duty of seven per cent is laid upon coffee, which we admit free.

The "reciprocity treaties" through which Bremen and Hamburg vessels can trade with the U. States on the same footing as American bottoms, has worked quite disastrously in the Rio trade. These European vessels will readily carry coffee from Rio to the United States for forty cents a bag; that is to say, whatever may be the market price, they always underbid our vessels from ten to fifteen cents per bag. Now we see the fatal operation of this treaty law in the unprecedented number of American vessels which have been in Rio de Janeiro this year, (60 at the same time in port), and almost all losing money.

As the least of two evils, they prefer to remain idle, waiting for freights to rise, rather than traverse the ocean at a ruinous loss; whilst Danes, Hamburgers and Dutchmen generally, &c., are carrying coffee to the U. States for forty cents a bag!

We commend the following novel mode of raising the wind, to the Dorcas Societies in general, and ours in particular:—

KISSING TO SOME PURPOSE.—A story has reached our ears of a singular scheme for raising funds, which was hit upon and put in practice at a London party held not more than a thousand miles off. It appears that some of the kissable ladies present actually allowed their sweet lips to be tasted at the rate of fifty cents a kiss—this being considered a suitable price for the privilege! If we are not misinformed, the party was a success, and the ladies took five dollars worth!—Sandwich (Ms).

Mr. Williamson, a young man who was engaged in logging in the woods near Aurora, Me., died to death in a few minutes from a wound in the thigh occasioned by the axe of a companion coming off the handle, and striking him with great violence.

MOVEMENT AGAINST SLAVERY IN ALABAMA.—Judge Hyndley, a prominent and leading democrat of Alabama, has addressed through the press a letter to Gov. Chapman, urging the propriety and necessity of a law to prevent the further immigration of slaves into that State, either for trade or settlement. The Alabama Journal says the "article is ably written, and there are many reasons why such a law should be passed, and that its execution was practicable."

Sir Henry Lytton Bulwer, who succeeds Mr. Pakenham as British Envoy at Washington, is a brother of the distinguished historian and statesman. He wrote a work on France some years since, and has had considerable experience as a diplomatist. He was, (says the Boston Times) if we rightly remember, Minister to Spain at the time of the Montpensier marriage affair. He is a man of considerable talent, though inferior as a scholar and writer to his illustrious brother.

Too SICK TO BE HANGED.—There is a man under sentence of death in South Carolina, who seeks to undergo the sentence of the law. The doctors are at work on him, to "cure him up," that he may be executed. What a pity were he to die.

NEW BRUNSWICK ANNEXED TO THE UNITED STATES.—On Saturday last, the Telegraph wires from Boston to St. John, in New Brunswick, were connected, and communication established between those points, each operator writing from one country to the other country direct—from Boston to St. John and vice versa. Last week messages left St. John in the afternoon for New Orleans, and were answered at St. John from New Orleans on the next morning. This is a most interesting and useful discovery, and will be a great benefit to the commerce of the Atlantic coast.

THE SEA SERPENT REVEALED.—Captain Carr, lately arrived at Boston (N. Y.) from Havre, states that on the 25th ult., long 47, he saw something on his horizon very like a whale. He bore up for it, and upon approaching it, thought it was a large ship bottom upwards, but on coming alongside, he discovered it to be a gigantic tentacle, armed with enormous sword blades, which glittered in the air, and served for the defence of the creature like the quills of a porcupine. The shell was black, and from out thereof, the animal poked his enormous head, which the captain says was the most terrific sight he ever beheld.

SWAINS OF NEW-ORLEANS. The misadventures of this city is now in a great degree, to the swamp and marshes in the neighborhood, which, under the heat of the summer sun, exhale a pestilential miasm. A scheme has been proposed to drain the water from these tracts and thereby remove the main cause of disease from that city, which may now be termed the central house of the United States.

WEBSTER'S QUARTO DICTIONARY UN-AMBIGUOUS.

In the unanimous judgment of the leading literary press of Great Britain and the United States, Webster's Dictionary is the most learned, the most comprehensive, and the most complete work of the kind in the English language; containing all that is excellent in Dr. Johnson's great work, with numerous philological corrections, more concise and accurate definitions, in many instances, and the addition of some sixteen thousand words—these additions consisting for the most part of terms used in the various departments of science and the arts, in commerce, manufactures, merchandize and the liberal professions.—Journal of Education for Upper Canada, Toronto, January, 1849.

President Bonaparte has conferred the order of the legion of honor on Dr. Jackson, of Boston, Mass.

"Nathan," said Mr. Sike to his youngest clerk, "have you charged old Ling with that quart of rum?" "Yes, sir." "About an hour afterwards, somewhat forgetting, he asked, 'Jerry, did you charge old Ling with that quart of rum?' "Yes, sir," was the response. "Confound the boys," muttered he, "there's no trust in 'em—no depending on 'em; to make it sure, I'll go and charge it myself, and I shall know it all right."

CART KIDN.—The Boston Courier puts out and to the pretended clue to the discovery of Captain Kidd's treasure in the vicinity of Boston, by showing that his name was not Robert, as given in the mysteriously found letter, but "William." The modern phrases used therein, as "keep dark," &c. also betray it.

The present population of the city of Portland, Me., is 19,000.

BRIGHTON MARKET.

[REPRINTED FOR THE BOSTON JOURNAL.]
THURSDAY, MARCH 1.
At market 300 Beef Cattle, 14 pairs Working Oxen, 16 Cows and Calves, 1700 Sheep, and 800 Swine. "Prime-Beef Cattle—Extra \$9 75; first quality, \$9 50; second quality, \$9 00; third quality, \$8 75; fourth quality, \$8 50.
Working Oxen—\$80, \$90, \$100, \$110.
Cows and Calves—\$20, \$25, \$30, \$35, \$40, \$45, \$50, \$55, \$60, \$65, \$70, \$75, \$80, \$85, \$90, \$95, \$100, \$105, \$110, \$115, \$120, \$125, \$130, \$135, \$140, \$145, \$150, \$155, \$160, \$165, \$170, \$175, \$180, \$185, \$190, \$195, \$200, \$205, \$210, \$215, \$220, \$225, \$230, \$235, \$240, \$245, \$250, \$255, \$260, \$265, \$270, \$275, \$280, \$285, \$290, \$295, \$300, \$305, \$310, \$315, \$320, \$325, \$330, \$335, \$340, \$345, \$350, \$355, \$360, \$365, \$370, \$375, \$380, \$385, \$390, \$395, \$400, \$405, \$410, \$415, \$420, \$425, \$430, \$435, \$440, \$445, \$450, \$455, \$460, \$465, \$470, \$475, \$480, \$485, \$490, \$495, \$500, \$505, \$510, \$515, \$520, \$525, \$530, \$535, \$540, \$545, \$550, \$555, \$560, \$565, \$570, \$575, \$580, \$585, \$590, \$595, \$600, \$605, \$610, \$615, \$620, \$625, \$630, \$635, \$640, \$645, \$650, \$655, \$660, \$665, \$670, \$675, \$680, \$685, \$690, \$695, \$700, \$705, \$710, \$715, \$720, \$725, \$730, 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